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PATENT

ATTORNEY DOCKET NO. 00786/048005 #

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Warren M. Zapol et al. Art Unit:
Serial No.: Examiner:
Filed : December 9, 1994
Title : METHODS AND DEVICES FOR TREATING PULMONARY
VASOCONSTRICTION AND ASTHMA

Commissioner of Patents and Trademarks
Washington, DC 20231

REQUEST FOR FILING DIVISIONAL APPLICATION

This is a request for filing a divisional application under 37 CFR 1.60, of pending prior application Serial No. 07/767,234 filed on September 27, 1991 by Warren M. Zapol and Claes Frostell for METHODS AND DEVICES FOR TREATING PULMONARY VASOCONSTRICTION AND ASTHMA.

1. Enclosed is a true copy of the above identified prior application, including the declaration as originally filed and a copy of the signed declaration filed on November 21, 1991 to complete the prior application. The true copy of the prior application is as follows: 51 pages of specification; 11 pages of claims; 1 page of abstract; 18 sheets of drawings; and 2 pages of declaration and power of attorney.

2. Cancel in this application claims 1-15, 22-30, 39-43 and 59-68 of the prior application before calculating the filing fee. At least one original independent claim has been retained for the purpose of filing this application.

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Date of Deposit December 9, 1994
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Kathleen Bowen
Kathleen Bowen

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3. The filing fee, based on the original claims in the prior application less any claims cancelled herein, is calculated below:

CLAIMS AS FILED				
	Number Filed	Number Extra	Rate	Basic Fee
				\$730
Total Claims	36 - 20 =	16 x	\$ 22 =	352
Independent Claims	7 - 3 =	4 x	\$ 76 =	304
Multiple Dependent Claims			\$240 =	0
Total Filing Fee =				\$1386

4. Enclosed are 15 sheets of formal drawings for use in this application.

✓ 5. Please amend the specification by inserting after the words "This application" in the first line: --is a

a' divisional of copending application Serial No. 07/767,234, filed September 27, 1991, which--

6. With respect to the prior application from which this application claims benefit under 35 U.S.C. 120, the inventors named in this application are the same. The inventorship for the claims in this application are the same.

7. The prior application is assigned of record to The General Hospital Corporation, a Massachusetts corporation, by virtue of an assignment submitted to the Patent and Trademark Office for recording on November 25, 1991 at 5944/0096 and 5944/0099.

8. Enclosed is a check in the amount of \$1386.00 for the filing fee.

9. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 06-1050.

10. The power of attorney in the prior application is to Paul T. Clark, Reg. No. 30,162 and Janis K. Fraser, Reg. No. 34,819. The power appears in the true copy of the prior application. Address all future communications to Paul T. Clark, Esq. at Fish & Richardson, 225 Franklin Street, Boston, MA 02110-2804.

Respectfully submitted,

Date:

Dec. 9, 1994

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Janis K. Fraser, Ph.D., J.D.
Reg. No. 34,819

Fish & Richardson
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